

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLEAVON Y. FOSTER,

Plaintiff,

vs.

DISTRICT ATTORNEY KAMALA
HARRIS,

Defendant.

No. C 08-1125 JSW (PR)

**ORDER OF DISMISSAL;
DENYING APPLICATION
FOR LEAVE TO PROCEED
IN FORMA PAUPERIS**

(Docket No. 2)

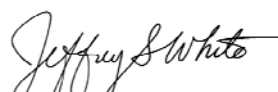
On February 25, 2008, Plaintiff filed a *pro se* civil rights action in this Court. On that same day the Court sent a notification to Plaintiff informing him that he had neither paid the filing fee nor submitted a completed application for leave to proceed in forma pauperis. In particular, Plaintiff was notified that he had not submitted a signed certificate of funds or prisoner trust account statement showing transactions for the last six months. The Court provided a copy of the correct in forma pauperis application, along with a return envelope and instructions for completing the form, and a notification that the case would be dismissed if Plaintiff failed to pay the fee or file the completed application, including the required certificate of funds and trust account statement, within thirty days. More than thirty days have passed and Plaintiff has not responded. Accordingly, this case is DISMISSED without prejudice for failure to pay the filing fee.

The incomplete application to proceed in forma pauperis is hereby DENIED and no fee is due. The clerk shall close the file and enter judgment in this matter.

This order terminates Docket No. 2.

IT IS SO ORDERED.

DATED: May 8, 2008


JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CLEAVON Y FOSTER,
Plaintiff,

Case Number: CV08-01125 JSW

CERTIFICATE OF SERVICE

v.

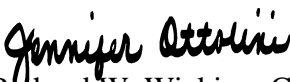
DISTRICT ATTORNEY et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 8, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Cleavon Y. Foster
#2350166
P.O. Box 67
San Bruno, CA 94066

Dated: May 8, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk